App F IX 4

Previous References 1943-44 (Memoranda

File No 119-43

Serial Nos 9, 10, 11, 12

Enclosing (106-43 586)

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos 6

Part B for August 1943-

SUBJECT

Definition of the Foreign & Local Hawkers

To the Mc Commr. Darjeeling
L 1562-Mc 106/43 dy 21/8/43
approves

7/12

4540
L

ML File No 119 of 43-44

Letter No C2 C 972/41-42 dt 11-1-44 from the ML Comm Bangalore enc requesting sanction to the amendment to the existing Bye laws relating to the "Hawkers" by defining the terms "Foreign and Local Hawkers"

1) Amendment proposed has not been received
2) Submitted with draft letter for approval
VKR 28/1

28/1

10 To the ML Comm, Bang this Off No L 2827 dt 29-1-44
Calls for some information

Letter No C2-C 972/41-42 dt 29-1-44 from the ML Comm, Bang forwards the amendment proposed

3) The amendment proposed is flagged "A" & the original Bye laws is flagged "B" Submit for orders
VKR 7/2

4) In the definition of the term "Foreign Hawker", the word "season" or "period" has to be clearly defined so as to avoid ambiguity, by fixing the definite period of time

mc 119-43

7637/4540 2

C F 69]

Continuation Sheet | File No / Current No | of | Page

4) In G.O. No. L 1680 3-Mll 86-39-B.M. dt. 26-8-40 sanction was conveyed to the draft Bye-laws framed by the Bangalore City Municipal Council, for regulating the trade of Hawkers and the levy of licence fee on them. These Bye-laws above define the terms "Foreign and Local Hawkers"

5) The Bangalore City Municipal Council have resolved to define the terms as noted below by amending the existing Bye-laws

"Foreign" Hawker shall mean and include a hawker who resides temporarily for a period of less than 2 years within the limits of the Municipality for the purpose of his business" - - -

Local Hawker, shall mean a hawker who has taken up a fixed habitation for over two years within the city limits and ordinarily resides therein".

6) It is stated that no objections were received to the above amendments proposed to the Bye-laws

7) It is for orders if the amendments may be approved under paras 6 & 8 of the Rules supra

Sanction was accorded in G.O. No. L 1680-3/Mll 86-39-1 dated 26th August 1940 to the bye laws framed by the Municipality for regulating the trade of Hawkers & the levy of licence fee on them in Municipal Gazette

To clarify the position,

C F 60]

Continuation Sheet | File No / Current No | of | Page

proposed to define the term "Foreign Hawkers & Local Hawkers" the required formalities have been observed. No objections are stated to have been received.

These will be added as a note to bylaw no 2 of the bylaws in force in this behalf.

The proposed amendment may be approved

Lawley for
4 Nov 45

May be approved
Engr-in-Chief
Medical Officer
9/11/45
7/11
6/11
Dft for Pl.
7/11/45

OFFICE OF THE MINISTER FOR REVENUE & LAW
No. 5589
Date 8/6/45

OFFICE OF THE MINISTER FOR L S G & P H
Date 12 7 45
No. 286

Submit with a draft GO for approval
6/11/45

To Hill Town Clerk 8/11/45
Dl 502 Hill 10-6-45 to D 31-8-45
Sanction the proposal

7 AUG 1945

B.

Rul 119-43-9

BANGALORE CITY MUNICIPALITY

No C2-C 972/41-42

Encl Enn

MUNICIPAL OFFICES

Bangalore 11th Jan. 1944

FROM

P SURYANARAYANA SETTI ESQ BA LLB
MUNICIPAL COMMISSIONER
Bangalore City

CIV & REV SECRETARIAT
4540
LSG BRANCH

TO

C Narayanaswamy Naidu, Esq , B A , B L
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE
LAW DEPARTMENT BANGALORE

SIR

I have the honour to state that the Municipal Council have approved at their meeting held on 10-7-1943 the amendment to the existing bye-laws sanctioned in Government Order No L 1600-3/ 1 86-39-154 dated 20-8-1940 relating to hawkers' by defining the terms 'Foreign and Local Hawkers'

The amendment was published in the Local news papers and objections were called for No objections have been received within the stipulated period

The amendment was again placed before the Municipal Council at their meeting held on 1-11-1943 and they have approved of the same A copy of the resolution of the Municipal Council referred to above is enclosed for favour of approval of Government thereto

Rd 18/1/44

I have the honour to be
Sir,
Your most obedient servant

P Suryanarayana Setti
Municipal Commissioner
13/1

mlt

For favour of compliance

18/1/44

PROCEEDINGS OF [illegible] MEETING OF [illegible]
1st [illegible] 1943

---

5 Office note that the proposed amendment of the existing bye-laws relating to hawkers by defining the terms 'Foreign and Local hawkers, was published in the local dailies calling for objections and that no objections were received

Resolution - The office note is approved

Sd V P Govindarajulu

Hon President

"COPY"

P Sanjeevamurthy
Municipal Commissioner
9/11

mlt

Proceedings of the Special Council meeting of the City Municipal Council, Bangalore City held on Monday the 1st November 1943 at 4 P M. in the Chambers of the City Municipal Offices, Bangalore City

---

Present

V K Govindarajulu, Esq., B A , B L (Hon. President)

Messrs	Messrs
1 W.H Hanumanthappa	13 H R Guruv Reddy, B A , LL B
2 R Subbanna	14 M.A. Gopalaswamy Iyengar, M A , B L
3 T L. Gangoji Rao	15. P.R Ramiah, B Sc
4 Ramalal Thiwari	16 C. Krishna Rao
5 L S Raju, M A (Hons) B L	17 M K Narayana Iyengar, B A., B L
6 V. Venkataramanappa	18 M. Krishnaswami Pillai
7 G. Nanjappa	19 B Subbiah, B Sc , LL B
8- T Gangadharaswamy	20. Kota Kamakshiah Setty
9 B S. Shankarappa Setty	21 H M Ghouse
10 V Venkataswamy Chetty	22 Mirza Azeezulla Beig
11. K N Ramaswami, B A	23 A R A Basith
12. C N Narasinga Rao, B A , B L.	24 H B Mohamed Khan
	25. V Chikkayallappa

Absent

Messrs	Messrs
1. K. Hanumanthaiya, B A , LL.B	3. K. Shamarajaiengar, B.A
2 K. Ganga Setty	4. M. Royan, M D

Appendix F G —1]

SUBJECT

Section xvi

File No 119 - 43

Serial No 10

Diary No of letter replied to

No L. 7827

To

General and Revenue Secretariat

( )

the *194*

Date of issue 29/1

Signed by

The Mil Commr, Bdy Hrs P&L

Sir,

With reference to your letter No C2 C 972/41-42 Dy 11th Jany 43 requesting sanction to the amendment of the existing Byelaws relating to the Hawkers by defining the terms "Foreign & Local Hawkers", I am directed to request you ~~to be so good as~~ to forward the amendment in question as the same has not been received with your letter under reply

I have etc

for Secy to Govt

Mil Law Dept

List of enclosures

Copied by

Examined by

WD 04161—GPB—60 000—24 10 41

9

BANGALORE CITY MUNICIPALITY

No C2-C 972/41-42 MUNICIPAL OFFICES

Encl two

Ref 119-43-11 *Bangalore* 29th Jan. 1944

GEN & R I S CR I AT
4854
2 FEB 1944
L S G BRANCH

FROM

P SURYANARAYANA SETTI ESQ BA LL B
MUNICIPAL COMMISSIONER
Bangalore City

SECY LAW DEPT
GOVT OF MYSORE

To

C. Narayanaswami Naidu, Esq , B A , B L ,

SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE
LAW DEPARTMENT BANGALORE

SIR

With reference to your letter No L 7827/M1 119-43-10 dated 29-1-1944, requesting to send the amendment proposed to the bye-laws relating to Hawkers, I have the honour to enclose herein, a copy of the same

A copy of the bye-laws in force, in this behalf is also sent herewith, as desired

I have the honour to be,
Sir,
Your most obedient servant,

P Suryanarayana Setti
Municipal Commissioner

mlt

"Foreign Hawker" shall include a hawker who resides temporarily for a season or for a period within the limits of the Municipality for the purposes of his business"

"Local Hawker", shall mean a hawker who has taken up a fixed habitation for over two years within the City limits and ordinarily resides therein"

"Copy"

T Scrimgeour
Municipal Commissioner

mlt

Proceedings of the Government of His Highness the Maharaja of Mysore

Bye laws for regulating the trade of Hawkers and the levy of license fee on them

READ—

Corre po de ce ei d g th letter No A4 2667—38 39 d ted 5th July 1940 fro i the Mu c p l Con is io er B n lo e C ty f r a d g f r appro al a t of d aft bye laws fran ed by the City Mu ic pal C ic l i d r Section 51 (1) ( ) of the Mysore City Mun cipal t es Act 1933 for reg lati g the trade of Hawker and tl e l vy of a license fee o the under Section 82 (3) of the aid Act

Order No L 1680 3—MI 86 39 154 dated the Bangalore 26th August 1940

The bye laws are approved and appended to this order

H V NARAYANA RAO
Secretary to Government
Law Department

ASSESSMENT AND COLLECTION OF LICENSE FEE ON HAWKERS

Framed under Section 51 (1) (a) and 82 (3) of the Mysore City Municipalities Act of 1933

No person shall carry on trade as a Hawker in the Bangalore City Municipal limits without first getting his name re_istered in the office of the City Municipality and taking out a license or certificate of registration The term Hawker for the purpose of this bye law includes all persons who go about from street to street sellin_ or offerin_ to sell goods wares or merchandise except those persons mentioned in the Schedule B hereto annexed

2 Every person wishing to hawk in the City limits shall apply to the Municipal Commissioner in writing in the form given hereunder for a license and tender the fee prescribed below —

Schedule A

Hawkers who are not permanent residents in the City limits

FOREIGN HAWKERS

(1) For dealing in precious stones and jewellery	Rs 10 per quarter or portion of a quarter of a year
(2) For dealing in drapery such as piece goods etc	Rs 2 8 0 per quarter or portion of a quarter of a year
(3) For deallin_ in hardware and all articles other than precious stones jewellery and drapery including trinkets	Rs 2 8 0 per quarter or portion of a quarter of a year

Hawkers who are permanent in the City limits

LOCAL HAWKERS

For dealing in any article or articles including articles of food a id drink	Rs 1 8 0 per quarter or portion of a quarter of a year

3 On receipt of the application with fee the Municipal Commissioner or any officer duly authorised by him in that behalf shall give to the person paying a license or certificate of registration The Municipal Commissioner or the officer authorised by him may if he deems it necessary in any particular case refuse to grant the license and refund the fee tend red

4 Every person shall when en_aged as a hawker have with him the license granted and produce the same when required by any police officer on duty or any officer or servant employed by the Municipal Council

5 The license shall not be transferable and no refund shall be granted on licenses which are partly or wholly unused or lost In the case of licenses actually lost duplicates may at the discretion of the Municipal Commissioner or the officer authorised by him be issued on production of satisfactory evidence by the licensee and on payment of a nominal fee of eight annas

6 Any person found hawking any goods in the City limits without a license or who fails to produce the license when demanded shall on conviction before a Magistrate be liable to a fine not exceeding Rs 50 and to a further fine which may extend to Rs 5 for every day after such conviction during which the offence continues

APPLICATION FOR A HAWKER S LICENSE

Name of applicant and address with door No and street	Permanent place of residence with door No and street	Nature of trade	Rate of fee	Period for which license required	Amount of fee tendered

		Per quarter or portion of a quarter of a year Rs a p
	Foreign Hawkers —	
1	Precious stones and jewellery	10 0 0
2	Drapery such as piece goods etc	2 8 0
3	Hardware and all articles other than precious stones jewellery and drapery	2 8 0
	Local Hawkers —	
	All articles including articles of food and drink	1 8 0

I solemnly declare that the particulars given above are correct

Station

Date _ *Signature of Applicant*

To

The Municipal Commissioner
Bangalore City

Schedule B

(Exemptions)

Milk curds vegetables fruits groundnut and parched grains gingelli ground nut and castor oil

S NARAYANA RAO
Municipal Commissioner

Viswananda Power Press B City

Appendix F G —1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *194*

Date of issue 12/2

Signed by Mr G R Rao

List of enclosures

Codied by

Examined by

Section Mil

File No 119-43

Serial No 12

No L&384

To The Ml Comm, Bldg the Dpt

Sir,

With reference to the correspondence ending with your letter No CA C972/41-42 dt 29-1-44 re the amendment of the Bye laws relating to the Hawkers in the cantt, I am directed to state that in the definition of the term "Foreign Hawker", the word "season or period" has to be clearly defined so as to avoid ambiguity, by fixing the definite period ~~after~~ otherwise

WD C4161—GPB—60 000—24 10 41

it is liable to be interpreted arbitrarily,
giving rise to confusion in course of time
I am therefore to request that a revised
amendment ~~[illegible]~~ free from all confusion & doubts
may be prepared & submitted for the orders of Govt

I have etc
for Secy to Govt
Law Deptt

NWB
9/2

To,

The H Comm

Bangalore

Sir

I am directed to invite reference to Your letter No C 2 pv 972/41-42 D 16-6-44, and to request You to forward very early the amendment proposed to the bye laws relating to the Licensing of Hawkers, in the resolution of the Bangalore City Municipal Council thereon issued vide No L2657 C1 dt 20-9-44

I have the Sir Your Obedient Servant

15

BANGALORE CITY MUNICIPALITY

No C2-Pr 972/41-42

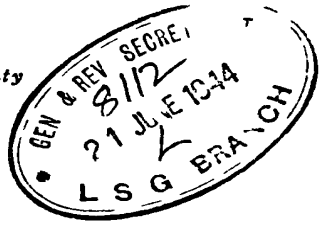
MUNICIPAL OFFICES

Encl

Bangalore 16th June 194 4

FROM

P SURYANARAYANA SETTI ESQ BA LL B
MUNICIPAL COMMISSIONER
Bangalore City



TO

C Narayanaswamy Naidu, Esq , B A B L ,
Legal Remembrancer and,
Secretary to Government,
Law Department,
Bangalore

SIR

Subject - Amendment proposed to the Bye-laws relating to the licensing of Hawkers

With reference to your letter No L 8384/41 119-43-12 dated 12-2-1944 on the above subject, requesting clear definition of the term 'Foreign Hawker', I have the honour to state that a revised amendment defining the term 'Local' and 'Foreign Hawker' has been obtained from the Municipal Advocate and the same has been placed before the Bye-law Committee The opinion of the Bye-law Committee will be placed before the Municipal Council and their resolution in the matter will be submitted to the Government in due course

I have the honour to be,
Sir,
Your most obedient servant,

P Suryanarayana Setti
Municipal Commissioner

Submitted perusal
Receipt of a further reply will be awarded

mlt

Submitted with a reminder

Mr 106-45 = 5

BANGALORE CITY MUNICIPALITY

No A8-Pr 972/41-42
Encl 2

MUNICIPAL OFFICES
Bangalore 4th May 1945

FROM

K SUBBA RAO Esq B A
MUNICIPAL COMMISSIONER
BANGALORE CITY.

V Sec 7367

To

C Narayanaswamy Naidu, Esq , B A , B L ,
Legal Remembrancer & Secretary to Govt
Law Department, BANGALORE

SIR

Subject - Amendment proposed to the Bye-law relating to the licensing of Hawkers

With reference to your letter No 8384 dated 12-2-1944 on the above subject, I have the honour to state that the revised amendment defining the term "foreign Hawker" has been duly published in the press and objections, if any, to the same, were called for from the public and since no objections were received, the amendment was placed before the Council in their meeting held on 23-4-1945 and they have approved the same A copy of the Council resolution and a copy of the proposed amendment are herein enclosed for favour of obtaining the sanction of Government early

I have the honour to be,
Sir,
Your most obedient servant,

Municipal Commissioner

Proceedings of the Bangalore City Municipal Council Meeting dated 23-4-1945

17

Subject No 20 -

Office note that the amendment to "Hawkers" Bye-laws defining the term "Foreign Hawkers" was published in local papers and no objections have been received

Resolution - The amendment is approved Further action may be taken

Sd M A Gopalaswamy Iyengar,

Hon President

"Copy"

Municipal Commissioner

Proposed amendment defining the term Foreign Hawkers" for regulating the trade of Hawkers in Bangalore City

"Foreign Hawkers" shall mean and include a hawker who resides temporarily for a period of less than 2 years, within the limits of the Municipality for the purpose of his business"

Municipal Commissioner

ksm

19

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Read -

Government Order No L 1680-3/41 86-39-154 dated 26th August 1940 sanctioning the Bye-laws for regulating the trade of Hawkers and the levy of license fee on them in the Bangalore City Municipality

2 Correspondence ending with letter No A8 Pr 972/41-42 dated 4 5 1945, from the Municipal Commissioner, Bangalore City stating that the municipal council have, at their meetings held on 1 11 43 and 23 4 1945, approved of an amendment to the Bye-laws referred to in the Government Order above by defining the temporary "Foreign and Local Hawkers" referred to in the above Bye-laws and requesting sanction to the resolution of the municipal council

ORDER NO 2-1562-III-106-45-6
Dated, Bangalore, the 31st August 1945

Government are pleased to approve of the definition of the terms "Fireign and Local Hawkers" proposed by the Bangalore City Municipal Council and they will be ~~are~~ as appended below "Foreign Hawkers" shall mean and include a hawker who resides temporarily for a period of less than 2 years, within the ~~limits~~ limits of the municipality for the purpose of his business "

Local Hawkers" shall mean a hawker who has taken up a fixed habitation for over two years within the City limits and ordinarily resides therein "

The Municipal Commissioner is requested to incorporate the ~~third~~ amendments in the original Bye-laws

For Additional Secretary to Govt

The Municipal Commissioner, Bangalore City